

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 ) CASE NO. CR10-5489-BHS  
Plaintiff, )  
 )  
v. )  
 ) DETENTION ORDER  
ADAN RAUL MERINO-AGUILAR, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Distribution of Heroin (2 counts); Possession of Methamphetamine with  
Intent to Distribute; Possession of Cocaine with Intent to Distribute.

Date of Detention Hearing: August 19, 2010.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
that no condition or combination of conditions which defendant can meet will reasonably  
assure the appearance of defendant as required and the safety of other persons and the  
community.

///

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) The return of the indictment establishes probable cause to believe defendant committed the drug offenses charged in this case. The maximum penalty for each of these offenses is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

(2) Nothing in the record effectively rebuts that presumption.

(3) Upon advice of counsel, defendant declined to be interviewed by this court's pretrial services officer. There is therefore limited information available about him.

(4) Defendant is reportedly a citizen of Mexico. The United States alleges that his presence in this country is illegal. An immigration (ICE) detainer is either pending against him or soon will be. The issue of detention in this case is therefore essentially moot.

(5) Defendant and his counsel offered nothing in opposition to the entry of an order of detention.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the pupose of an appearance in connection

01 with a court proceeding; and

- 02 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
03 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
04 Officer.

05 DATED this 19th day of August, 2010.

06 s/ John L. Weinberg  
07 United States Magistrate Judge  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22